

MESSAGE NO: 5318203

MESSAGE DATE: 11/14/2005

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-475-819

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 01/01/2003 TO

12/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN PASTA FROM ITALY (C-475-819-043/045/046)

MESSAGE NO: 5318203

DATE: 11 14 2005

CATEGORY: CVD

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REFERENCE:

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CASES: C - 475 - 819

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PERIOD COVERED: 01 01 2003 TO 12 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN PASTA FROM ITALY
(C-475-819-043/045/046)

1. ON 10/28/2005, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER (70 FR 62097) THE CORRECTED FINAL RESULTS OF ITS ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER ON CERTAIN PASTA FROM ITALY (C-475-819) FOR THE PERIOD 01/01/2003 THROUGH 12/31/2003.

2. IMPORTS COVERED BY THIS ORDER ARE SHIPMENTS OF CERTAIN NON-EGG DRY PASTA IN PACKAGES OF FIVE POUNDS FOUR OUNCES OR LESS, WHETHER OR NOT ENRICHED OR FORTIFIED OR CONTAINING MILK OR OTHER

OPTIONAL INGREDIENTS SUCH AS CHOPPED VEGETABLES, VEGETABLE PUREES, MILK, GLUTEN, DIASTASES, VITAMINS, COLORING AND FLAVORINGS, AND UP TO TWO PERCENT EGG WHITE. THE PASTA COVERED BY THIS SCOPE IS TYPICALLY SOLD IN THE RETAIL MARKET, IN FIBERBOARD OR CARDBOARD CARTONS, OR POLYETHYLENE OR POLYPROPYLENE BAGS OF VARYING DIMENSIONS.

EXCLUDED FROM THE SCOPE OF THE ORDER ARE REFRIGERATED, FROZEN, OR CANNED PASTAS, AS WELL AS ALL FORMS OF EGG PASTA, WITH THE EXCEPTION OF NON-EGG DRY PASTA CONTAINING UP TO TWO PERCENT EGG WHITE. ALSO EXCLUDED ARE IMPORTS OF ORGANIC PASTA FROM ITALY THAT ARE ACCOMPANIED BY THE APPROPRIATE CERTIFICATE ISSUED BY THE ISTITUTO MEDITERRANEO DI CERTIFICAZIONE, BIOAGRICOO S.R.L., QC & I INTERNATIONAL SERVICES, ECOCERT ITALIA, CONSORZIO PER IL CONTROLLO DEI PRODOTTI BIOLOGICI, ASSOCIAZIONE ITALIANA PER L'AGRICOLTURA BIOLOGICA, OR CODEX S.R.L. IN ADDITION, BASED ON PUBLICALLY AVAILABLE INFORMATION, THE DEPARTMENT HAS DETERMINED THAT, AS OF AUGUST 4, 2004, IMPORTS OF ORGANIC PASTA FROM ITALY THAT ARE ACCOMPANIED BY THE APPROPRIATE CERTIFICATE ISSUED BY BIOAGRICERT S.R.L. ARE ALSO EXCLUDED FROM THIS ORDER.

SEE MEMORANDUM FROM ERIC B. GREYNOLDS TO MELISSA G. SKINNER, DATED AUGUST 4, 2004, WHICH IS ON FILE IN THE DEPARTMENT'S CENTRAL RECORDS UNIT IN ROOM B-099 OF THE MAIN DEPARTMENT BUILDING. THE MERCHANDISE SUBJECT TO REVIEW IS CURRENTLY CLASSIFIABLE UNDER ITEMS 1901.90.9095 AND 1902.19.20 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES.

3. ACCORDINGLY, YOU ARE NOW INSTRUCTED TO LIQUIDATE ALL SHIPMENTS OF CERTAIN PASTA FROM ITALY EXPORTED ON OR AFTER 01/01/2003 AND ON OR BEFORE 12/31/2003 AT THE FOLLOWING PERCENT OF ENTERED VALUE:

MANUFACTURER/PRODUCER/EXPORTER	ID NUMBER	RATE
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CORTICELLA MOLINI E PASTIFICI	C-475-819-045	0.00 percent
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S.P.A.

CORTICELLA MOLINI E PASTIFICI C-475-819-046 0.00 percent
S.P.A./PASTA COMBATTENTI S.P.A.

ITALIAN AMERICAN PASTA CO. SRL/ C-475-819-043 0.00 percent
PASTA LENSİ S.R.L.

4. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE CBP SERVICE ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENT, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF THE SUSPENSION OF LIQUIDATION OF ALL ENTRIES OF CERTAIN PASTA FROM ITALY DURING THE PERIOD 01/01/2003 THROUGH 12/31/2003. THESE ENTRIES MAY NOT BE FINALLY LIQUIDATED, HOWEVER, UNTIL ANTIDUMPING DUTIES HAVE ALSO BEEN ASSESSED. THE SUSPENSION OF LIQUIDATION FOR ALL ENTRIES OF THIS MERCHANDISE EXPORTED AFTER 12/31/2003 WILL CONTINUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC, OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O1:MR).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party